

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

August 13, 2008

DIVISION ONE

B204209 Los Angeles County, D.C F.S. (Not for Publication)
v.
D.C.

The jurisdictional and dispositional orders are affirmed.

Neidorf, J. (Assigned)

We concur: Mallano, P.J.
 Rothschild, J.

[illegible]

The order of wardship is affirmed.

Mallano, P.J.

We concur: Rothschild, J.
Neidorf, J. (Assigned)

August 13, 2008 (Continued)

DIVISION ONE (continued)

B206366 People (Not for Publication)
v.
Topete

The judgment is affirmed.

Mallano, P.J.

We concur: Rothschild, J.
Neidorf, J. (Assigned)

B204592 People (Not for Publication)
v.
Madrid

The judgment is affirmed.

Mallano, P.J.

We concur: Rothschild, J.
Neidorf, J. (Assigned)

B199948 People (Not for Publication)
v.
Perez and Cardona

The judgments are affirmed.

Mallano, P.J.

We concur: Rothschild, J.
Neidorf, J. (Assigned)

August 13, 2008 (Continued)

DIVISION TWO

B201239 People (Not for Publication)

V.
Victor C.

The Court:

The judgment is affirmed.

Doi Todd, Acting P.J., Ashmann-Gerst, J., Chavez, J.

B192191 Schlosser
v.
Wollersheim

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

DIVISION THREE

Court convened at 9:30 a.m.

Present: Klein, P.J., Croskey, J., Kitching, J. and Zaida G. Heraldez, Deputy Clerk.

Each of the following:

B196976 People v. Miguel Villalobos et al
B199140 People v. Thomas Braley
B208019 Shanette T., et al v. S.C.L.A. (DCFS)
B205272 DCFS v. Ebony J., et al
B203897 DCFS v. Fernando R.
B204799 DCFS v. Robert M.

Argument waived, cause submitted.

DIVISION THREE (continued)

B201174 Allied Machine & Engineering Corp.

v.

Maxtec Machinery, Inc.

Merits:

Argued by Martin F. Goldman for respondent and no appearance for appellant. Cause submitted.

B202633 Susan D. Augustson et al

v.

Texaco Inc.

Merits:

Argued by Robert W. Northrup for appellants and by Jon P. Kardassakis for respondent. Cause submitted.

B205005 Brad Etheridge

v.

Reins International California, Inc.

Merits:

Argued by Eric Kingsley for appellant and by Russell J. Thomas, Jr. for respondent. Cause argued and submission deferred pending further notice by this court.

B199541 Videal TV Und Film CoProduktions GmbH

v.

Comerica Bank

Merits:

Argued by Heather Lynn McCloskey for appellant and by Robert Addison for respondent. Cause submitted.

DIVISION THREE (continued)

B196645 Victor Hovsepien
v.
Land Rover North America Inc.

Merits:

Argued by Rene Korper for appellant and by Brian Takahashi for respondent. Cause argued and submission deferring pending filing of additional briefs.

Court adjourned.

B202200 The Right Site Coalition
v.
Los Angeles Unified School District, et al.

Filed order denying petition for rehearing.

B196783 Gumrikyan, et al.
v.
Kesheshyan, et al.

Filed order denying petition for rehearing.

DIVISION FOUR

B201368 People v. Burley (Not for Publication)

The judgment is affirmed.

Willhite, J.

We concur: Epstein, P.J.
Suzukawa, J.

DIVISION FOUR (continued)

B196933 Thottam et al. (Certified for Publication)
 v.
 Thottam

We reverse the judgment and remand the cause for a new trial in accordance with the views expressed in this opinion. Appellant is to have his costs on appeal.

Epstein, P.J.

We concur: Willhite, J.
 Suzukawa, J.

B201128 Kempton et al. (Certified for Publication)
 v.
 City of Los Angeles

The judgment on the pleadings is reversed with directions to grant appellants leave to amend their complaint to allege a cause of action for nuisance. Each party shall bear its own costs on appeal.

Epstein, P.J.

We concur: Willhite, J.
 Suzukawa, J.

DIVISION SIX

Court convened at 9:00 a.m.

Present: Gilbert, P.J., Yegan, J., Coffee, J., Perren, J. and G. Bents, Senior Deputy Clerk.

B200076 Fairfield v. Kasperbauer

Argument continued to October, 2008.

DIVISION SIX (continued)

B195236 Kretek International, Inc. v. Fauni

Argument waived, cause submitted.

B196745 Matthews
v.
Righetti

Merits:

Argued by John Gregory Derrick for appellants and by Maria L. Hutlkin for respondent. Cause submitted.

B196898 Wood
v.
Jamison

Merits:

Argued by James J. Little for appellant and by Thomas Michael Roth for respondent. Cause submitted.

Yegan, J. left the bench.

B202778 La Fata
v.
L.A. Fitness

Merits:

Argued by Wendy C. Lascher for appellant and by Christopher Patrik Leyel for respondent. Cause submitted.

Yegan, J. returned to the bench.

Perren, J. left the bench.

DIVISION SIX (continued)

B201773 Brenton
 v.
 Sternberg

Merits:

Argued by Jeffrey Lawrence Willis for appellant Pratt and by Don E. Lanson for respondent Sternberg. Cause submitted.

Perren, J. returned to the bench.

Gilbert, P.J. left the bench.

B203941 4X Projects Co.
 v.
 City of Moorpark

Merits:

Argued by Kate M. Neiswender for appellants and by Alan Amedeo Sozio for respondent. Cause submitted.

Court recessed.

Court reconvened at 1:30 p.m.

Present: Gilbert, P.J., Yegan, J., Coffee, J., Perren, J. and G. Bents, Senior Deputy Clerk.

B196521 Jones v. Dykstra

Argument continued to September, 2008.

B207746 Maria E. v. Child Welfare Services

Presentation waived, cause submitted.

DIVISION SIX (continued)

B198079 Dykstra
 v.
 Jones

Merits:

Argued by Thomas H. Petrides for appellant and by Zev S. Brooks for respondent. Cause submitted.

B204296 Calif. Dept. of Mental Health
 v.
 Calif. State Personnel Board

Merits:

Argued by Joan Branin, Labor Relations Counsel, for appellant. Appearance waived by respondent pursuant to Rule 8.220(a)(2), Calif. Rules of Court. Cause submitted.

Yegan, J. left the bench.

B204862 Gottesman
 v.
 Santa Barbara Athletic Club, Inc.

Merits:

Argued by John S. Levitt for appellants and by Norman Pine for respondents. Cause submitted.

B195073 Marriage
 of
 James

Merits:

Argued by Stephen James, appellant, appearing in propria persona and argument previously waived by respondent. Cause submitted.

DIVISION SIX (continued)

Court adjourned

B200952 People
v.
Amaya

Filed order denying petition for rehearing.

DIVISION SEVEN

[illegible]

The judgment is affirmed.

Perluss, P.J.

We concur: Woods, J.
Zelon, J.

B202857 Los Angeles County, D.C F.S. (Not for Publication)
v.
Don D.,

The appeal is dismissed.

Woods, J.

We concur: Perluss, P.J.
Zelon, J.

DIVISION SEVEN (continued)

B204196 Los Angeles County, D.C F.S. (Not for Publication)
 v.
 H.C., Sr.,

As modified, the order is affirmed.

Woods, J.

We concur: Perluss, P.J.
 Zelon, J.

DIVISION EIGHT

B198332 People (Not for Publication)
 v.
 Rosales

The judgment is affirmed. The cause is remanded to the trial court with directions to issue a corrected abstract of judgment.

Rubin, J.

We concur: Cooper, P.J.
 Flier, J.

B196891 People (Not for Publication)
 v.
 Andrade et al.

The judgment is affirmed.

Rubin, J.

We concur: Cooper, P.J.
 Flier, J.

DIVISION EIGHT (continued)

B195201 People (Not for Publication)
v.
Garcia

The judgment is modified in the following manner: (1) the two-year sentence for possession of a firearm is stayed, and (2) the section 12022.53, subdivisions (b) and (c) enhancements are stayed. As modified, the judgment is affirmed. The case is remanded to the trial court. The trial court is directed to issue a modified abstract of judgment and forward it to the Department of Corrections.

Cooper, P.J.

We concur: Rubin, J.
Flier, J.

B195092 Cardoza (Not for Publication)
v.
USC University Hospital et al.

The judgments are reversed, with directions to grant leave to file a fourth amended complaint. Plaintiff shall recover costs.

Cooper, P.J.

We concur: Rubin, J.
Flier, J.